United Nations A/63/869-S/2009/285

General Assembly
Security Council

Distr.: General
3 June 2009

Original: English

General Assembly
Sixty-third session
Agenda item 109
Implementation of the resolutions of the United Nations

Security Council
Sixty-fourth year

Letter dated 2 June 2009 from the Permanent Representative of Greece to the United Nations addressed to the Secretary-General

With reference to the letter dated 14 March 2009 addressed to you by the Permanent Representative of the former Yugoslav Republic of Macedonia and circulated as document A/63/772-S/2009/150, allow me to transmit my Government's remarks.

(a) The allegation that Greece's complaints about violations of the Interim Accord by the former Yugoslav Republic of Macedonia form part of a "litigation strategy" is unfounded and unreasonable, taking into account that it was the former Yugoslav Republic of Macedonia that instituted proceedings against Greece before the International Court of Justice and not vice versa.

Therefore, the obvious purpose of this allegation is to deflect attention from the substance of the issue in question, which is the long-standing and recurring practice of breaches of the Interim Accord on the part of the former Yugoslav Republic of Macedonia.

Greece, either bilaterally or at a multilateral level or through public statements of Greek officials, has always protested these violations, which unfortunately continue unabated.

Claiming that no such protests by Greece have taken place before November 2008 is a grotesque attempt to play down the breaches of the Interim Accord perpetrated by the former Yugoslav Republic of Macedonia. If the competent authorities of the former Yugoslav Republic of Macedonia argue that they lack information on Greek protests prior to 17 November 2008, they should take a more careful look into their archives or check the international press and mass media of the time, which have given broad publicity to quite a few problems in the relations between Greece and the former Yugoslav Republic of Macedonia, created by the unlawful conduct of, as well as the provocative and offensive actions against Greece by, the latter.

(b) Greece believes that the explanation provided by the former Yugoslav Republic of Macedonia regarding the naming of part of the Pan-European Corridor X

Please recycle

after "Alexander the Great" and the naming of the main stadium in Skopje after "Philip II, the Macedon" is misleading and veils the ulterior motives of the illegitimate use of symbols and elements pertaining to the Hellenic historical and cultural heritage.

Had the former Yugoslav Republic of Macedonia acknowledged categorically the undisputed fact that ancient Macedonia formed part of ancient Greece and Hellenism, as evidenced by numerous archaeological findings, Greece would be honoured by the use of the name of historical Greek figures as a tribute to their contribution to mankind.

Unfortunately, the use of names, symbols and other elements of the Hellenic historic past by the former Yugoslav Republic of Macedonia serves other purposes. Through the gross falsification of history, the former Yugoslav Republic of Macedonia attempts to establish a fabricated historical, ethnological and cultural link with ancient Macedonia, in order, inter alia, to substantiate territorial and irredentist aspirations against Greece.

However, it is amply known, and not only to the scientific community, that the Slavs, who form the largest part of the population of the actual State of the former Yugoslav Republic of Macedonia, settled in the area in the sixth century A.D., bearing no ethnological or cultural relation whatsoever with ancient Macedonians, who, as Hellenes, were speaking the ancient Greek language, as proved by more than 5,000 inscriptions, and shared a common Hellenic cultural identity.

Against this background, the usurpation of elements and symbols belonging to the historical and national patrimony of Greece constitutes an offensive act against the latter, which upsets good neighbourly relations and, in this context, contravenes the letter and the spirit of the Interim Accord.

It must also be noted in this respect that the assertion of the former Yugoslav Republic of Macedonia that she: "... fails to see how the common use of the name of a historic personality can be considered to be inappropriate or inconsistent with the requirements of the 1995 Interim Accord" contrasts with the official view of the European Union, which, considering the naming of Corridor X after "Alexander the Great" as a provocative act, carried out, through the European Union Special Representative, Mr. Fouéré, a formal démarche to the authorities of the former Yugoslav Republic of Macedonia on this issue in January 2009.

(c) As for the use of the Sun of Vergina in a televised spot, an issue which falls under article 7(2) of the Interim Accord and not under article 7(3) as is mistakenly stated in the aforementioned letter addressed to you on 14 March 2009 by the Permanent Representative of the former Yugoslav Republic of Macedonia to the United Nations, Greece would like to point out that a video of the said spot, bearing the title "Macedonia timeless", should normally be available on both CNN and the euronews channel, which broadcast it, or could be retrieved at the website www.macedonia-timeless.com, which is self-proclaimed to have been carried out on behalf of the Government of the former Yugoslav Republic of Macedonia.

(d) The former Yugoslav Republic of Macedonia argues that it has made "significant concessions", including by adopting constitutional amendments in 1992 confirming that it "has no territorial claims beyond its established borders", which were later "consolidated and reaffirmed with the obligations assumed under article 6 of the Interim Accord".

As a first remark, it is really hard to see how a fundamental international obligation provided for in the Charter of the United Nations, such as the respect for the territorial integrity of States, can be interpreted and presented by the former Yugoslav Republic of Macedonia as a "significant concession". This is a quite revealing indication of the way the former Yugoslav Republic of Macedonia perceives and implements the essential norms of the international legal order.

In spite of her threefold commitment (in her Constitution, through the Interim Accord and by subscribing to the Charter of the United Nations when she joined the Organization as a full Member), the former Yugoslav Republic of Macedonia has defied the territorial integrity of Greece through a series of actions and official statements, including the making, publication and promotion of maps depicting large areas of Greek territory as part of a distinct "Macedonian" entity.

Furthermore, the former Yugoslav Republic of Macedonia claims that it is "a State governed by the rule of law and committed to respect fundamental human rights, including the right of freedom of expression as reflected in the European Convention on Human Rights".

However, the former Yugoslav Republic of Macedonia still has a long way to go in this field before she reaches the European standards, as confirmed by numerous European Union reports. Greece, as an old member of the European and Euro-Atlantic organizations, is willing to lend assistance in all efforts and to support all steps of progress in this direction.

It should be recalled in this respect that for almost 12 years in a row, from 1996 until recently, scientific historical research was prohibited by law in the former Yugoslav Republic of Macedonia. The Law on Scientific Research Activities (Government Gazette, Vols. 13/96 and 29/02), which was abolished as late as 2008, stipulated, inter alia, that studies and research on the historical and cultural identity of the "Macedonian people" were forbidden to any domestic or foreign legal entity or physical person other than those controlled and financed by the State.

This piece of legislation contravened sharply with article 10 (1) of the European Convention of Human Rights, in which it is stated that "Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers", and, in that sense, constituted a continuous material breach of article 9(1) of the Interim Accord.

Greece welcomes the abolishment of this law, but this cannot change the fact that freedom of expression, and in particular historical scientific research, in the former Yugoslav Republic of Macedonia had been seriously suppressed for a significant length of time.

As for the proposal to establish a Joint Education and History Committee that "could facilitate and promote understanding on issues of history fully in compliance with the Interim Accord", Greece would like to note that history is the science that establishes historical truth through scientific methods. It cannot and should not be subject to political expediency or any other political considerations and definitely cannot be rewritten by a bilateral committee.

Greece remains committed to the negotiating efforts for reaching a mutually acceptable solution to the name issue, in accordance with Security Council resolutions 817 (1993) and 845 (1993), and fully respects the provisions of the Interim Accord, on the basis of the fundamental principle *pacta sunt servanda*.

I would be grateful if the present letter were circulated as a document of the General Assembly, under agenda item 109, and of the Security Council.

(*Signed*) John **Mourikis**
Ambassador
Permanent Representative